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Attorneys for Defendant  
 MH SUB I, LLC.

Attorney for Plaintiff,  
 LegalForce RAPC Worldwide P.C.

**UNITED STATES DISTRICT COURT  
 NORTHERN DISTRICT OF CALIFORNIA  
 SAN FRANCISCO DIVISION**

<p>LEGALFORCE RAPC WORLDWIDE, P.C.</p> <p style="text-align: center;">Plaintiff,</p> <p style="text-align: center;">v.</p> <p>MH SUB I, LLC., a Delaware corporation,</p> <p style="text-align: center;">Defendant.</p>	<p>3:24-cv-00669-WHA</p> <p><b>JOINT CASE MANAGEMENT                  STATEMENT; [PROPOSED] ORDER</b></p> <p>Date: June 13, 2024</p> <p>Time: 8:00 a.m.</p> <p>Crtrm: 12</p> <p>Judge: Hon. William H. Alsup</p>

1 Plaintiff LegalForce RAPC Worldwide, P.C. (hereinafter “LegalForce”) and Defendant MH  
2 Sub I, LLC (hereinafter “Defendant”) (collectively, the “Parties”) submit this Joint Case  
3 Management Statement and [Proposed] Order pursuant to the Court’s April 2, 2024, Order.

4 **1. JURISDICTION AND SERVICE**

5 **Plaintiff’s Position:**

6 This Court has subject matter jurisdiction over this action under 28 U.S.C. §§ 1331 and  
7 1338, as this case arises under the federal laws of the United States, specifically alleging trademark  
8 infringement under the Lanham Act.

9 The plaintiff has experienced direct harm within this District, attributable to the defendant,  
10 MH Sub I, LLC’s, unauthorized use of a mark similar to the plaintiff’s registered trademarks since  
11 December 2023. This infringement has led to lost customers and opportunities directly within this  
12 forum, harm that is addressable and redressable through judicial intervention.

13 This Defendant can be sued in federal court in the United States in a trademark litigation  
14 because the Lanham Act, which governs trademarks in the United States, provides for jurisdiction  
15 over defendants who have committed trademark infringement in the United States.

16 The Plaintiff has suffered an injury in fact within this District, attributable to the defendant,  
17 MH Sub I, LLC’s, unauthorized use of a mark similar to the plaintiff’s registered trademarks since  
18 December 2023. This infringement has led to lost customers and opportunities directly within this  
19 forum. Therefore, Plaintiff has suffered a real, tangible injury that can be traced back to the  
20 defendant’s actions because of the defendant’s infringement.

21 Moreover, the Plaintiff’s injury is likely to be redressed by a favorable judicial decision: A  
22 court order prohibiting the defendant’s infringing conduct would likely lead to the restoration of the  
23 plaintiff’s lost sales, profits, or reputation, and such a court order is likely to provide meaningful  
24 relief and redress the harm suffered.

25 Because all of these elements are satisfied, this defendant can be sued in federal court in the  
26 United States for trademark litigation. Plaintiff has suffered an injury in fact that is fairly traceable to  
27 the defendant’s challenged conduct, and that is likely to be redressed by a favorable judicial decision  
28 because a decision would enjoin the defendant from its infringing activities in the United States.

1 This Court has general and specific jurisdiction over Defendant because it is physically  
2 present in California and in the United States, and Defendant provided services to customers in  
3 California, specifically within this district.

4 This Court has general personal jurisdiction over Defendant because it has current and  
5 prospective customers who have offices in California, and in this District. This Court has personal  
6 jurisdiction over Defendant because the Defendant has substantial and systematic connections with  
7 this District, demonstrated by its targeted and continuous business operations, including offering  
8 services and conducting transactions that directly impact and engage consumers and businesses  
9 within Northern California. The Defendant's website directly links users with attorney's within this  
10 district.

11 Furthermore, this Court has general personal jurisdiction over Defendant because Defendant  
12 has or recently had an office address for "Nolo," a subsidiary of the defendant, in this District.

13 Defendant has intentionally and purposefully directed tortious acts expressly aimed at  
14 California and the United States, with foreseeable harm to Plaintiff, and Plaintiff's claims arise out  
15 of the Defendant's forum-related activities, and exercising jurisdiction over Defendant is both  
16 reasonable and fair given the facts alleged in this complaint.

17 The supplementation of jurisdiction over state law claims is grounded in 28 U.S.C. § 1367,  
18 reflecting the integral relationship between these claims and the federal trademark infringement  
19 allegations. These claims emerge from a unified set of facts, underscoring the pragmatic and legal  
20 efficiency of addressing both federal and state claims within a single judicial forum.

21 Therefore, venue is aptly situated in this Court pursuant to 28 U.S.C. § 1391(b), given the  
22 defendant's deliberate engagements and its effectuated harm within this District. The defendant's  
23 targeted and continuous activities, including marketing and provision of services, affirm the  
24 substantial link to this District, reinforcing the propriety and fairness of litigating this dispute in this  
25 venue. Through these connections, the Court is furnished with a robust basis to exercise its  
26 jurisdiction, ensuring that the litigation occurs within a contextually relevant and geographically  
27 appropriate forum, thereby facilitating a thorough and just resolution of the matters at issue.

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1 Defendant's Position:

2 Defendant submits to personal jurisdiction and venue. Defendant specifically denies the  
3 allegations of wrongdoing set forth above.

4  
5 **2. FACTS**

6 Plaintiff's Position:

7 LegalForce is the owner of three U.S. federal trademark registrations: "LegalForce" (Reg.  
8 No. 4227650) for legal services including law firm services, legal document preparation, and general  
9 information in the field of legal services; "LegalForce" (Reg. No. 4346898) for legal services and  
10 security services; and "LegalForce Trademarkia" (Reg. No. 5642937) for providing  
11 non-downloadable software for trademark searching and managing trademark matters. LegalForce  
12 also has a pending U.S. federal trademark application (Serial No. 98372820) for providing  
13 comprehensive legal services and an online platform designed to facilitate connections between  
14 consumers, businesses, and legal professionals.

15 LegalForce has extensively used and promoted the LEGALFORCE Marks nationwide,  
16 achieving significant public recognition and major press coverage from Bloomberg, FastCompany,  
17 TechCrunch, The World Trademark Review, Wall Street Journal, and the ABA Journal. LegalForce  
18 has invested over ten million dollars in promoting the LEGALFORCE brand, leading to widespread  
19 fame and recognition in the legal services industry.

20 Defendant operates LawFirms.com and uses a logo (hereinafter the "Infringing Mark") that is  
21 confusingly similar to the LEGALFORCE Marks. The Infringing Mark employed by the Defendant  
22 shares a number of distinct similarities with the LEGALFORCE Marks. These similarities include a  
23 nearly identical color scheme, incorporating shades of orange that are visually indistinguishable  
24 from those used by LegalForce, which is significant as color is often one of the first attributes  
25 noticed by consumers. Additionally, the design elements of the Infringing Mark closely mimic those  
26 of the LEGALFORCE Marks, including the use of a rounded quadrilateral shape. This shape is  
27 characterized by two rounded corners and two pointed ninety-degree corners, mirroring the  
28 distinctive geometry of the LEGALFORCE Marks.

1 Furthermore, both the LEGALFORCE Marks and the Infringing Mark effectively utilize  
2 negative space to define their features. In the LEGALFORCE Marks, the negative space forms the  
3 interlocking “L” and “F,” while in the Infringing Mark, it defines a column, which may be construed  
4 as an abstract representation of the letter “F.” This strategic use of negative space contributes to the  
5 overall commercial impression of the marks, enhancing their distinctiveness. The Defendant’s mark  
6 also employs a clean, minimalistic design devoid of additional text or embellishments, similar to the  
7 LEGALFORCE Marks. The simplicity of these designs means that the few elements present are  
8 more likely to be compared directly by consumers, further increasing the likelihood of confusion.

9 Both LegalForce and the Defendant operate in the legal services industry, providing online  
10 legal services and platforms that connect potential clients with legal professionals. LegalForce  
11 operates websites such as [www.legalforcelaw.com](http://www.legalforcelaw.com), [www.legalforce.com](http://www.legalforce.com), and  
12 [www.Trademarkia.com](http://www.Trademarkia.com), offering a broad spectrum of legal services. LegalForce’s website collects  
13 potential clients’ personal and case-specific information and then prompts an attorney to contact the  
14 potential client. Defendant’s website, “LawFirms.com,” similarly collects potential clients’ personal  
15 and case-specific information and promises attorney contact, mirroring LegalForce’s methods of  
16 client engagement.

17 Both parties actively advertise their services online, including on social media platforms like  
18 Instagram. Defendant’s paid advertisements on Instagram are labeled as being promoted by a  
19 “Lawyer and Law Firm,” further contributing to consumer confusion regarding the source of legal  
20 services. The similarities in advertising methods and the use of online platforms to attract clients  
21 demonstrate that both parties compete in the same market space, targeting the same customer base.

22 Plaintiff LegalForce RAPC Worldwide P.C. asserts that Defendant’s use of a confusingly  
23 similar mark for competing legal services infringes upon the LEGALFORCE Marks, creating a  
24 likelihood of consumer confusion and causing significant harm to LegalForce’s business and  
25 reputation. LegalForce seeks to protect its trademark rights and uphold the integrity of its brand in  
26 the legal services industry.

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1 Defendant's Position:

2 Headquartered in El Segundo, California, MH Sub I, LLC d/b/a Internet Brands  
3 is a media company that operates various websites, develops, and licenses internet  
4 software for social and professional media applications, and provides databases for  
5 various industries. MH Sub owns and operates more than 200 principal websites in  
6 seven different categories, including the "Legal Division." Within the Legal Division,  
7 MH Sub owns and operates lawfirms.com, (the "Lawyer Website"), which allows  
8 attorneys to match with potential clients. The Lawyer Website allows anyone to input  
9 data in order to be referred to attorneys matching their needs. For lawyers, it is a lead  
10 generation tool. To be clear, MH Sub and the Lawyer Website are not a law firm and  
11 do not represent any clients at any time.  
12

13 More specifically, Defendant does not offer legal services, and does not market  
14 to the public for such services. The Defendant is a **database** for would-be clients to  
15 find law firms and lead generation for lawyers. There is no possibility anyone could  
16 mistakenly "purchase" Defendant's FREE services thinking they were hiring  
17 Plaintiff's law firm. If anything, Defendant's services would drive traffic to Plaintiff.  
18 (Discovery has yet to begin, but Defendant expects to find that Plaintiff has even used  
19 Defendant's services).  
20  
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22 Plaintiff relies heavily on its vast collection of domain names. Those domain  
23 names have no bearing on this case. It is a trademark case, not a tradename case. The  
24 marks are so obviously dissimilar and there exist marks far more identical to  
25 Plaintiff's for which it has shown no concern. The Plaintiff's mark cannot provide it  
26 much value if no efforts have been made to protect it in the marketplace. Finally, it is  
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28

1 wildly speculative to claim Defendant's wholly different mark has caused Plaintiff  
2 legal damages in the absence of any cognizable claim.

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4 **3. LEGAL ISSUES**

5 **Plaintiff's Position:**

6 Plaintiff has identified the following preliminary legal issues:

7 (1) Whether the Defendant has committed Trademark Infringement pursuant to 15 U.S.C. §  
8 1114.

9 (2) Whether the Defendant has committed Trademark Infringement pursuant to 15 U.S.C. §  
10 1125(a).

11 (3) Whether the Defendant has committed Trademark Infringement pursuant to California  
12 Common Law.

13 (4) Whether Defendant is entitled to a dismissal with prejudice.  
14

15 **Defendant's Position:**

16 In addition to the four legal issues stated above, Defendant identifies:

17 (1) Has the Plaintiff even alleged facts sufficient to give rise to a cause of action?

18 (2) Has Defendant's mark caused Plaintiff any damages?

19 (3) How much are Plaintiff's damages, if any?

20 (4) Is the Defendant entitled to costs and attorneys' fees?  
21

22 **4. MOTIONS**

23 **Plaintiff's Position:**

24 Plaintiff intends to file Discovery motions if there are discovery disputes and intends to file a  
25 Motion for Summary Judgment. In addition, Plaintiff anticipates a motion for attorney fees pursuant  
26 to 15 U.S.C. 1117(a) and the Court's inherent power.

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1 Defendant's Position:

2       Discovery has not yet begun. Defendant does not anticipate any discovery disputes, as  
3 counsel for recognizes the importance of resolving such disputes without judicial intervention.  
4 Defendant has a pending Motion to Dismiss, which is set for hearing on June 13, 2024. If the Court  
5 denies that Motion, Defendant will file a Motion for Summary Judgment on similar grounds, as well  
6 as on Plaintiff's inevitable lack of evidence, lack of damages, and failure to state a claim.

7  
8 **5. AMENDMENT OF PLEADINGS**

9       The Parties agree that, in the event this case proceeds, the last day the Parties may amend the  
10 pleadings is September 13, 2024.

11  
12 **6. EVIDENCE PRESERVATION**

13 Plaintiff's Position:

14       LegalForce confirms that it has taken appropriate steps to preserve documents, records,  
15 evidence, electronic data, and materials relevant to this lawsuit from modification or loss.  
16 LegalForce certifies that it has reviewed the Guidelines Relating to the Discovery of Electronically  
17 Stored Information ("ESI Guidelines") and is willing to negotiate a protective order and ESI  
18 stipulation if this case reaches discovery.

19  
20 Defendant's Position:

21       MH Sub I, LLC confirms that it has taken appropriate steps to preserve documents, records,  
22 evidence, electronic data, and materials relevant to this lawsuit from modification or loss. MH Sub  
23 I, LLC certifies that it has reviewed the Guidelines Relating to the Discovery of Electronically  
24 Stored Information ("ESI Guidelines") and is willing to negotiate a protective order and ESI  
25 stipulation if this case reaches discovery. MH Sub I, LLC does not anticipate any documents in the  
26 relevant time frame were lost or destroyed prior to the filing of this lawsuit but will rely on any  
27 retention policies in place prior to instigation of litigation; Plaintiff never contacted Defendant prior  
28 to filing.



1                   **7. DISCLOSURES**

2           Plaintiff's Position:

3           The parties will exchange disclosures in accordance with the Local Rules set forth by the  
4           United States District Court, Northern District of California.

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6           Defendant's Position:

7           The parties will exchange disclosures in accordance with the Local Rules set forth by the  
8           United States District Court, Northern District of California.

9  
10                   **8. DISCOVERY**

11           Plaintiff's Position:

12           Plaintiff intends to take up to the full ten ("10") depositions should this case proceed to  
13           discovery, which will be a combination of party and third party witnesses. Plaintiff intends to hire at  
14           least one expert witness, conduct surveys, and take full discovery necessary to fully litigate this case.

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16           Defendant's Position:

17           In the absence of Plaintiff's initial disclosures, it is difficult to determine the extent of  
18           discovery needed. However, given the relatively straight-forward nature of Plaintiff's claim,  
19           Defendant anticipates only a few depositions, written discovery regarding such matters as Plaintiff's  
20           business model, gross and net revenue, marketing efforts, lost business claims, and general damages  
21           claim. Defendant does not anticipate hiring an expert, as this case simply does not warrant such  
22           attention but reserves the right to do so and to hire a rebuttal expert if necessary.

23  
24                   **9. CLASS ACTIONS**

25           This litigation is not a class action.

26  
27                   **10. RELATED CASES**

28           There are no related cases to this action.

1           **11. RELIEF**

2           Plaintiff's Position:

3           Plaintiff requests that this Court enter judgment against Defendant as follows:

- 4           • That Defendant and its respective agents, officers, employees, representatives,  
5           licensees, franchisees, successors, assigns, attorneys and all other entities and persons  
6           acting for, with, by through or under authority from Defendant, and each of them, be  
7           preliminarily and permanently enjoined from: (a) using the LEGALFORCE Marks,  
8           service marks, and trade names, or any colorable imitation thereof; (b) using any  
9           trademark that imitates or is confusingly similar to or in any other way similar to any  
10          of the LEGALFORCE Marks or that is likely to cause confusion, mistake, deception,  
11          or public misunderstanding as to the origin of LegalForce's products or its  
12          connectedness to Defendant; (c) using any trademark or service mark that is  
13          confusingly similar to the distinctiveness of any of the LEGALFORCE Marks;
- 14          • That Defendant be required to file with the Court and serve on LegalForce within  
15          thirty (30) days after entry of the injunction, a declaration under oath setting forth in  
16          detail the manner and form in which Defendant has complied with the injunction;
- 17          • That, pursuant to 15 U.S.C. § 1117, Defendant be compelled to account to LegalForce  
18          for any and all profits derived by Defendant from its illegal acts complained of  
19          herein;
- 20          • That Plaintiff be awarded their costs and expenses of this action against Defendant,  
21          including their reasonable attorneys' fees necessarily incurred in bringing and  
22          pressing this case, as provided in 15 U.S.C. § 1117(a);
- 23          • That, pursuant to 15 U.S.C. § 1117, Defendant be held liable for all damages suffered  
24          by LegalForce resulting from the acts alleged herein including compensatory and  
25          punitive damages against Defendant in an amount to be proven at trial;
- 26          • That Plaintiff be awarded treble damages to the fullest extent available under the law.
- 27          • An award of Defendant's profits from their infringing conduct;
- 28

- Award Plaintiff pre- and post-judgment interest at the applicable rates on all amounts awarded;
- Grant permanent injunctive relief to prevent the recurrence of the violations for which redress is sought in this Complaint;
- That the Court grant LegalForce any other remedy to which it may be entitled as provided for in 15 U.S.C. §§ 1116 and 1117 or under all applicable federal or state laws; and
- Order any other such relief as the Court deems appropriate.

Defendant's Position:

Defendant's position is simple: it seeks dismissal of Plaintiff's claims, with prejudice and recovery of its attorneys' fees and costs incurred herein.

**12. SETTLEMENT AND ADR**

Plaintiff's Position:

Plaintiff is available to mediate and resolve this case through mediation or ADR in good faith.

Defendant's Position:

Defendant is always open to reasonable settlement options. Defendant prefers settlement conference with the trial judge or with the assigned magistrate. While this ask it a burden on the Court, it has been counsel's experience that the parties are more inclined to settle in this forum.

**13. OTHER REFERENCES**

Plaintiff's Position:

LegalForce appreciates the time and effort that the Court has put into the case thus far, and has nothing further to add here.

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1 Defendant's Position:

2 Defendant does not request referral.

3  
4 **14. NARROWING OF ISSUES**

5 Plaintiff's Position:

6 LegalForce will work to constructively narrow the case if needed during discovery if  
7 necessary for the sake of judicial economy and efficiency.

8  
9 Defendant's Position:

10 Defendant has a Motion to Dismiss pending, which may significantly narrow the issues in  
11 this matter. If that Motion is denied, the issues nonetheless remain simple, does the Defendant's  
12 mark infringe Plaintiff's and if so, what are Plaintiff's damages. There really can't be any narrow set  
13 of legal issues.

14  
15 **15. EXPEDITED TRIAL PROCEDURE**

16 Plaintiff's Position:

17 LegalForce does not presently believe that this case can be handled on an expedited basis  
18 with streamlined procedures. Defendant's are still using the infringing mark in commerce despite  
19 this action thus demonstrating their continued willingness to infringe on LegalForce's intellectual  
20 property.

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22 Defendant's Position:

23 Defendant requests the soonest possible trial date the Court can provide. If Plaintiff's  
24 concern is truly on-going use, it would behoove Plaintiff to have the matter decided expeditiously.  
25 Defendant requests this Court set the case on the right path from the inception. This is not a  
26 meaningful case. It should not take up the Court's time and has no novel factual or legal issues. It is  
27 as straight-forward a trademark case as has ever existed. Defense counsel is concerned that  
28

1 Plaintiff's intend to use this case as simply a training exercise and expand unnecessarily discovery,  
2 depositions, motion practice, experts, etc.

3  
4 **16. SCHEDULING**

5 **Plaintiff's Position:**

6 Plaintiff believes that this case should be scheduled through trial. If the case goes forward,  
7 modification may be appropriate.

8  
9 **Defendant's Position:**

10 Defendants believe this case can be decided on motion, whether the pending Motion to  
11 Dismiss or a subsequent Motion for Summary Judgment. Again, Defendant is eager to have the  
12 matter tried and will make counsel available at the Court's earliest convenience. Defendant sees no  
13 reason for this case to linger on the docket, allowing the parties to simply incur gross attorneys' fees  
14 to no end.

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16 **17. TRIAL**

17 **Plaintiff's Position:**

18 Assuming trial is held from 8:30 a.m. to 1:30 p.m. Mondays through Thursdays, LegalForce  
19 estimates trial will take ten days.

20  
21 **Defendant's Position:**

22 Defendant anticipates several issues will be stipulated before trial. If this case reaches trial, it  
23 will be on the two simple issues raised in Section 14. Defendant anticipates this case will take no  
24 more than 4 days.

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26 **18. PROFESSIONAL CONDUCT**

27 All attorneys of record have reviewed the Guidelines for Professional Conduct for the  
28 Northern District of California.

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**19. OTHER MATTERS**

Plaintiff's Position

None.

Defendant's Position

None.

Dated: June 6, 2024

iGeneral Counsel, P.C.

By: /s/ Wendy Evelyn Giberti

Wendy Evelyn Giberti

*Attorney for Defendant*

Dated: June 6, 2024

LEGALFORCE RAPC WORLDWIDE P.C.

By: /Spencer Keller/

Spencer Keller (Appearing Pro Hac Vice)

*Attorney for Plaintiff*

**ATTESTATION**

I hereby attest that concurrence in the content and filing of this document has been obtained from Counsel for Defendant.

Dated: June 6, 2024

LEGALFORCE RAPC WORLDWIDE P.C.

By: /Spencer Keller/  
Spencer Keller  
*Attorney for Plaintiff*

**[PROPOSED] CASE MANAGEMENT ORDER**

The above Joint Case Management Statement and [Proposed] Order is approved as the Case Management Order for this case and all parties shall comply with its provisions.

**IT IS SO ORDERED.**

Dated: \_\_\_\_\_

\_\_\_\_\_  
Hon. William H. Alsup  
United States District Judge  
Northern District of California